

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI

LARON DAWN, )  
Plaintiff, ) Cause No.: 2:14-cv-4104-NKL  
vs. )  
HVM L.L.C., d/b/a EXTENDED STAY )  
AMERICA, )  
Defendant. )

**JOINT MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT**

Pursuant to Federal Rule of Civil Procedure 23, Plaintiff Laron Dawn, HVM, L.L.C., and ESA Management, LLC,<sup>1</sup> move the Court to enter an order:

1. Preliminarily approving the Settlement Agreement negotiated by the parties;
2. Conditionally certifying the Disclosure Class set forth in the Settlement

Agreement and defining the Disclosure Class as:

All applicants and/or employees, between March 7, 2012 and June 1, 2014, at the Tiffany Springs Extended Stay America Location, at 9701 N. Shannon Avenue, Kansas City, Missouri, 64153, from whom HVM or ESA Management, LLC obtained written consent, using solely a Candidate Release Authorization, to obtain a Consumer Report and upon whom HVM or ESA Management, LLC subsequently obtained a Consumer Report subject to the consent;

3. Designating the Named Plaintiff, Laron Dawn, as a representative for the

Disclosure Class and his attorneys as Class Counsel;

4. Approving the form and manner of the class notice;

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<sup>1</sup> As part of the Settlement Agreement, Plaintiff has agreed to file a Second Amended Complaint, naming ESA Management, LLC as an additional defendant.

5. Granting consent for Plaintiff to file a Second Amended Complaint as set forth in the Settlement Agreement;

6. Setting a date for a final fairness hearing; and

7. Pending the outcome of a final fairness hearing, preliminarily enjoining all members of the Disclosure Class from commencing, prosecuting, or maintaining any claim already asserted in and encompassed by this Action.

8. A proposed order will be emailed to the Court Clerk.

WHEREFORE, the parties request the Court grant their Motion for Preliminary Approval of the Class Action Settlement.

/s/ C. Jason Brown

Charles Jason Brown #49952  
Jayson A. Watkins #61434  
BROWN & ASSOCIATES LLC  
301 S. US 169 Highway  
Gower, MO 64454  
Telephone: 816.505.4529  
Facsimile: 816.424.1337  
[brown@brownandwatkins.com](mailto:brown@brownandwatkins.com)  
[watkins@brownandwatkins.com](mailto:watkins@brownandwatkins.com)

Attorneys for Plaintiff Laron Dawn

/s/ Charles E. Reis

Charles E. Reis, IV #32535  
Amy L. Nixon #53233  
LITTLER MENDELSON, P.C.  
One Metropolitan Square  
211 North Broadway, Suite 1500  
St. Louis, MO 63102  
Telephone: 314.659.2000  
Facsimile: 314.659.2099  
[creis@littler.com](mailto:creis@littler.com)  
[anixon@littler.com](mailto:anixon@littler.com)

Attorneys for Defendant  
HVM L.L.C., d/b/a EXTENDED STAY  
AMERICA